



UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: Jean-Paul MARDON et al.
Serial No.: 10/728,237 Confirmation No.: 7515
Filed: December 3, 2003
For: ALLOY AND TUBE FOR NUCLEAR FUEL ASSEMBLY
AND METHOD FOR MAKING SAME
Art Unit: 1793
Examiner: John P. Sheehan
Customer No.: 23280
Atty. Docket: 12928/100022; 569.1032DIV

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 15, 2009

INTERVIEW SUMMARY

Sir:

In response to eh Interview Summary dated August 17, 2009, applicants hereby submit a summary of the Interview as requested in the following remarks.

INTERVIEW SUMMARY REMARKS

Applicants' representative, Danielle Sullivan (Reg. No. 64,125) and Examiner Sheehan conducted a telephonic interview on August 13, 2009, and Applicants' representative thanks Examiner Sheehan for his careful analysis and comments. The rejections were discussed for claims 7 to 12 with prior art references Sabol '023, Rebeyrolle '050 and Dumas '419. Applicants' representative and the Examiner discussed and disagreed as to the propriety of combining the references. Applicants' representative also answered a question raised by the Examiner at page 6, section 8 of the Final Office Action, identifying Sabol as the particular reference. Applicant's representative explained that Sabol uses only one of Fe, Cr, Mo, V, Cu Ni and W, that these elements, in particular Fe, Cr and V do not have the same metallurgical effects, and that it would not have been obvious to modify the teaching of Sabol to achieve the claimed invention. The Examiner disagreed.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

DATED: September 15, 2009

By: 

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